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OFFICE OF PETITIONS

**DECISION ON PETITION UNDER
37 CFR 1.137(B)**

In re Application of
Steven Teig et al.
Application No. 09/739,580
Filed: December 15, 2000
Attorney Docket No. SPLX:P0015

This is a decision on the petition under 37 CFR 1.137(b), filed June 6, 2003, and supplemented on June 24, 2003, to revive the instant non-provisional application.

The petition is **GRANTED**.

Petitioner states that the instant nonprovisional application is the subject of a counterpart international application filed on December 5, 2001. However, the U.S. Patent and Trademark Office was unintentionally not notified of this filing within 45 days subsequent to the filing of the international application.

In view of the above, this application became abandoned pursuant to 35 U.S.C. 122(b) (2) (B) (iii) and 37 CFR 1.213(c) for failure to timely notify the Office of the filing of an application in a foreign country, or under a multilateral international agreement, that requires publication of applications 18 months after filing.

A petition under 37 CFR 1.137(b) must be accompanied by:

- (1) the reply, which is met by the notification of such filing in a foreign country or under a multinational treaty;
- (2) the petition fee as set forth in 37 CFR 1.17(m); and
- (3) a statement that the entire delay in filing the required reply from the due date of the reply until the filing of a grantable petition was unintentional.

The instant petition has been found to be in compliance with 37 CFR 1.137(b). Accordingly, the failure to timely notify the Office of a foreign or international filing within 45 days after the date of filing of such foreign or international application as provided by 35 U.S.C. 122(b) (2) (B) (iii) and 37 CFR 1.213(c) is accepted as having been unintentionally delayed.

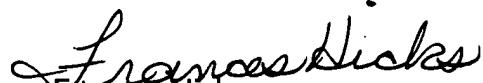
The previous Request and Certification under 35 U.S.C. § 122 (b) (2) (B) (i) has been rescinded.

The application is being forwarded to Technology Center AU 2825 for further examination in due course.

Telephone inquiries regarding this decision should be directed to Latrice Bond at (703) 308-6911.



Latrice Bond
Paralegal Specialist
Office of Petitions
Office of the Deputy Commissioner
For Patent Examination Policy



Frances Hicks
Lead Petitioners Examiner